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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,106	10/10/2001	Sathya Kavacheri	SUN-P6092NP.US.NC	8778

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EXAMINER	
AVELLINO, JOSEPH E	
ART UNIT	**PAPER NUMBER**
2143	

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/975,106	KAVACHERI ET AL.	
	Examiner	Art Unit	
	Joseph E. Avellino	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 February 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 4-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 4-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-2, and 4-20 are presented for examination; claims 1 and 12 independent. The Office acknowledges the cancellation of claim 3, which has been incorporated into claims 1 and 12.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 2, 4-6, 8, 10-15, 17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lopke in view of Lipkin (USPN 6,721,747).

4. Referring to claims 1 and 2, Lopke discloses a method for using user location information to customize information in a Web portal (i.e. a web page tailored for the user) (e.g. abstract), the method comprising the steps of:

receiving user location information from a user (col. 6, line 65 to col. 7, line 2 and col. 7, lines 36-37);

receiving a request for application specific information (i.e. class of resources desired) from the user (col. 6, lines 58 to col. 7, line 2);

selecting pertinent application specific information based on the user location information (col. 8, lines 4-10; Figure 2, 212);

transmitting the pertinent application specific information to the user (col. 8, lines 10-12; Figure 2, 214).

Lopke does not specifically disclose that the information is transmitted in accordance with the WAP and WML communication standards, merely using a PDA with a cellular service or a CDPD link (col. 8, lines 30-45). In analogous art, Lipkin discloses another method for customizing information in a Web portal wherein the information is transmitted in accordance with the WAP and WML communication standards (col. 136, lines 19-23). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Lipkin with Lopke since Lopke discloses there are alternative methods of utilizing a search engine to find resources (col. 7, lines 28-34), and this would lead one of ordinary skill in the art to find other methods to search a database, resulting in the invention disclosed in Lipkin, which searches for and discovers information, such as web resources, in a more flexible and sophisticated manner as supported in Lipkin (col. 2, lines 9-15).

5. Referring to claim 4, Lopke discloses receiving the user location information from the user via a portable handheld device (it is disclosed that PDA 120 operates in a similar fashion to that of client terminal 102) (col. 6, line 58 to col. 7, line 2 and col. 7, line 36-37); and transmitting the pertinent application specific information to the portable handheld device of the user (col. 8, lines 10-12; Figure 2, 214).

6. Referring to claims 5, 6, and 10, Lopke discloses the user location information is a current address of the user, a geographical coordinate of the user, and zip code information entered by the user (col. 6, line 58 to col. 7, line 2).

7. Referring to claim 8, Lopke discloses the application specific information of the user is hotel information, and wherein the pertinent application specific information is information regarding the location of hotels with respect to the user location (Figure 5; col. 8, line 64 to col. 9, line 46).

8. Referring to claim 11, Lopke discloses the user location information is associated with a location name, and wherein the user selects a particular location by selecting a particular location name from a menu of location names presented by a portable handheld device (col. 5, lines 17-32).

9. Claims 12-15, 17, 19, and 20 are rejected for similar reasons as stated above.

Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lopke in view of Lipkin in view of Baur et al. (US 2002/0030698) (hereinafter Baur).

10. Referring to claim 7, Lopke in view of Lipkin discloses the invention substantially as described in claim 1. Lopke in view of Lipkin does not specifically disclose the application specific information of the user is calendar information for the user, and

wherein the pertinent application specific information is information regarding the location of calendar events with respect to the user location. In analogous art, Baur discloses another method of customizing a web portal based on user location wherein the application specific information of the user is calendar information for the user, and wherein the pertinent application specific information is information regarding the location of calendar events with respect to the user location (p. 2, ¶ 26). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baur with Lopke and Lipkin in order to notify users of weather-related events which could potentially affect the route to the destination as supported by Baur (p. 1, ¶ 11).

11. Referring to claim 9, Lopke in view of Lipkin discloses the invention substantively as described in claim 1. Lopke in view of Lipkin does not specifically disclose the application specific information of the user is appointment information for the user, and wherein the pertinent application specific information is information regarding the location of appointments with respect to the user location. In analogous art, Baur discloses another method of customizing a web portal based on user location wherein the application specific information of the user is appointment information for the user, and wherein the pertinent application specific information is information regarding the location of appointments with respect to the user location (p. 2, ¶ 21, 24-26). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baur with Lopke and Lipkin in order to notify users of weather-

related events which could potentially affect the route to the destination as supported by Baur (p. 1, ¶ 11).

Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lopke in view of Lipkin as applied to claim 12 above (hereinafter Lopke-Lipkin) and further in view of Baur.

12. Referring to claim 16, Lopke-Lipkin discloses the invention substantially as described in claim 1. Lopke-Lipkin does not specifically disclose the application specific information of the user is calendar information for the user, and wherein the pertinent application specific information is information regarding the location of calendar events with respect to the user location. In analogous art, Baur discloses another method of customizing a web portal based on user location wherein the application specific information of the user is calendar information for the user, and wherein the pertinent application specific information is information regarding the location of calendar events with respect to the user location (p. 2, ¶ 26). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baur with Lopke-Lipkin in order to notify users of weather-related events which could potentially affect the route to the destination as supported by Baur (p. 1, ¶ 11).

13. Referring to claim 18, Lopke-Lipkin discloses the invention substantively as described in claim 1. Lopke-Lipkin does not specifically disclose the application specific

information of the user is appointment information for the user, and wherein the pertinent application specific information is information regarding the location of appointments with respect to the user location. In analogous art, Baur discloses another method of customizing a web portal based on user location wherein the application specific information of the user is appointment information for the user, and wherein the pertinent application specific information is information regarding the location of appointments with respect to the user location (p. 2, ¶ 21, 24-26). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baur with Lopke-Lipkin in order to notify users of weather-related events which could potentially affect the route to the destination as supported by Baur (p. 1, ¶ 11).

Response to Amendment

14. Applicant's arguments filed February 9, 2005 have been fully considered but they are not persuasive.

15. Applicant argues, in substance, that (1) there is no motivation or suggestion to combine the teachings of Lipkin with the disclosure of Lopke since Lipkin does not concern itself with providing customized information to a user.

16. As to point (1), the Office respectfully disagrees. In response to applicant's argument that there is no suggestion to combine the references, the examiner

recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Lopke discloses multiple different ways to populate and update the resource database 114 (see rejection above). One of ordinary skill would recognize the differences of using a web crawler to search for resources by the Internet in a non-real-time basis from a real-time basis in response to a user query. This would motivate one of ordinary skill in the art to search for other methods of populating a database (such as the resource database in Lopke), which would lead one of ordinary skill in the art to the novel method disclosed in Lipkin which searches for and discovers information, such as web resources, in a more flexible and sophisticated manner as supported in Lipkin (col. 2, lines 9-15). By this rationale, there is sufficient motivation to combine the two references, and the rejection is maintained.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEA
April 14, 2005

DAVID WILEY
SUPERVISORY PATENT EXAMINER
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